

1       **SECTION 195.** 36.36 (intro.) of the statutes is amended to read:

2       **36.36 Grants for study abroad.** (intro.) ~~From the appropriation under s.~~  
3       ~~20.285 (1) (er), the~~ The board shall award a grant of up to \$2,000 to a resident  
4       undergraduate student to assist in paying the costs associated with the student's  
5       study abroad if the student satisfies all of the following criteria:

6       **SECTION 196.** 36.46 (1) of the statutes is renumbered 36.46, and 36.46 (2), as  
7       renumbered, is amended to read:

8       **36.46 (2)** Notwithstanding ~~par. (a)~~ sub. (1), if, within 14 working days after the  
9       date of the secretary's notification, the cochairpersons of the committee do not notify  
10      the secretary that the committee has scheduled a meeting for the purpose of  
11      reviewing the secretary's proposed action, the proposed reserve funds may be  
12      accumulated. If, within 14 working days after the date of the secretary's notification,  
13      the cochairpersons of the committee notify the secretary that the committee has  
14      scheduled a meeting for the purpose of reviewing the secretary's proposed action, the  
15      proposed reserve funds may not be accumulated unless the committee approves that  
16      action.

      \*\*\*NOTE: Section 36.46 (2) under current law is repealed below, as it refers to a  
      repealed appropriation, i.e., s. 20.285 (1) (kp). Should s. 36.46 (1) be repealed as well, or  
      is it okay to renumber it as s. 36.46?

17      **SECTION 197.** 36.46 (2) of the statutes is repealed.

18      **SECTION 198.** 36.52 of the statutes is amended to read:

19      **36.52 Reimbursement of pay supplements.** Whenever moneys become  
20      available from the federal government to finance the cost of pay and related  
21      adjustments for employees of the system ~~in the unclassified service~~ whose positions  
22      are wholly or partly funded from federal revenue under 7 USC 343 that have been  
23      paid from the appropriation under s. ~~20.865 (1) (ej)~~ 20.285 (1) (a) or (xq) during the

1 same fiscal year in which moneys are expended from that appropriation, the board  
2 shall reimburse the general fund for any expenditures made under s. ~~20.865 (1) (ej)~~  
3 20.285 (1) (a) or (xq) from the appropriate appropriation to the board made from  
4 federal revenues.

\*\*\*\*NOTE: Per RAC, the reference to s. 20.865 (1) (cj) should be replaced with references to the UW general operations GPR and SEG appropriations.

5 **SECTION 199.** 36.53 (2) (a) of the statutes is renumbered 36.53 (2).

6 **SECTION 200.** 36.53 (2) (b) of the statutes is repealed.

7 **SECTION 201.** 36.54 (2) (b) of the statutes is amended to read:

8 36.54 **(2)** (b) From the appropriations under s. 20.285 (1) ~~(j)~~, (r) and (rc), the  
9 environmental education board shall award grants to corporations and public  
10 agencies for the development, dissemination and presentation of environmental  
11 education programs. Programs shall be funded on an 18-month basis. The  
12 environmental education board may not award a grant unless the grant recipient  
13 matches at least 25% of the amount of the grant. Private funds and in-kind  
14 contributions may be applied to meet the matching requirement. Grants under this  
15 paragraph may not be used to replace funding available from other sources.

\*\*\*\*NOTE: Should the stricken reference to s. 20.285 (1) (j) be replaced with a reference to the new SEG gifts appropriation, i.e., s. 20.285 (1) (xr)?

16 **SECTION 202.** 36.54 (2) (c) of the statutes is amended to read:

17 36.54 **(2)** (c) The environmental education board shall promulgate rules  
18 establishing the criteria and procedures for the awarding of grants for programs and  
19 projects under par. (b). The environmental education board shall use the priorities  
20 established under sub. (1) for awarding grants if the amount in the appropriations  
21 under s. 20.285 (1) ~~(j)~~, (r) and (rc) in any fiscal year is insufficient to fund all  
22 applications under this subsection.

\*\*\*\*NOTE: Should the stricken reference to s. 20.285 (1) (j) be replaced with a reference to the new SEG gifts appropriation, i.e., s. 20.285 (1) (xr)?

1       **SECTION 203.** 36.58 (5) of the statutes is amended to read:

2       36.58 (5) TREATMENT OF CERTAIN EMPLOYEES. Notwithstanding ss. ~~36.09 (1) (i)~~,  
3       36.13 and 36.15, when a position at the veterinary diagnostic laboratory is held by  
4       a person who held a position in the classified service at the animal health  
5       laboratories at the department of agriculture, trade and consumer protection on May  
6       12, 2000, the position may not be designated as a position outside of the classified  
7       service without the consent of the person.

8       **SECTION 204.** 36.585 of the statutes is created to read:

9       **36.585 Telecommunications and information technology services. (1)**

10      In this section, “telecommunications services” includes data and voice over Internet  
11      protocol services, Internet protocol services, broadband access and transport,  
12      information technology services, Internet access services, and unlit fiber.

13      **(3)** The board may not be, and shall ensure that no institution or college campus  
14      is and that the extension is not, a member, shareholder, or partner in or with any  
15      business organization or other person that offers, resells, or provides  
16      telecommunications services to the general public or to any public or private entity  
17      other than the system, an institution, a college campus, or the extension.

18      **(4)** The board may not do, and shall ensure that no institution or college  
19      campus does and that the extension does not do, any of the following:

20      (a) Receive any monetary award from the National Telecommunications and  
21      Information Administration in the federal department of commerce for the Building  
22      Community Capacity Through Broadband Project.

1 (b) Disburse, spend, loan, grant, or in any other way distribute or commit to  
2 distribute any funds received with respect to or budgeted or allocated for the  
3 Building Community Capacity Through Broadband Project identified under par. (a).

4 (5) Beginning July 1, 2012, the board shall ensure that Wisconsin's Research  
5 and Education Network, a nonprofit association of public and private organizations  
6 that provides Internet access and other network services to member organizations,  
7 known as WiscNet, is not incorporated as a department or office in the system.

8 **SECTION 205.** 36.60 (3) (b) of the statutes is amended to read:

9 36.60 (3) (b) The agreement shall specify that the responsibility of the board  
10 to make the payments under the agreement is subject to the availability of funds  
11 made available by the board and in the appropriations appropriation under s. 20.285  
12 (1) ~~(jc), (ks), and (qj)~~.

13 **SECTION 206.** 36.60 (5) (a) of the statutes is amended to read:

14 36.60 (5) (a) The obligation of the board to make payments under an agreement  
15 entered into under sub. (3) (b) is subject to the availability of funds made available  
16 by the board and in the appropriations appropriation under s. 20.285 (1) ~~(jc), (ks), and~~  
17 ~~(qj)~~.

18 **SECTION 207.** 36.60 (5) (b) (intro.) of the statutes is amended to read:

19 36.60 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,  
20 when added to the cost of loan repayments scheduled under existing agreements,  
21 exceeds the total amount made available by the board and available in the  
22 appropriations appropriation under s. 20.285 (1) ~~(jc), (ks), and (qj)~~, the board shall  
23 establish priorities among the eligible applicants based upon the following  
24 considerations:

25 **SECTION 208.** 36.60 (6) of the statutes is amended to read:

1           36.60 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the  
2           program under this section by counties, cities, villages, and towns. Funds received  
3           ~~under this subsection shall be deposited in the appropriation under s. 20.285 (1) (jc).~~

4           **SECTION 209.** 36.60 (6m) (a) of the statutes is renumbered 36.60 (6m).

5           **SECTION 210.** 36.60 (6m) (b) of the statutes is repealed.

          \*\*\*\*NOTE: Section 36.60 (6m) (b) requires penalties to be credited to the  
          appropriation account under s. 20.285 (1) (jc), which is repealed.

6           **SECTION 211.** 36.61 (3) (b) of the statutes is amended to read:

7           36.61 (3) (b) The agreement shall specify that the responsibility of the board  
8           to make the payments under the agreement is subject to the availability of funds  
9           made available by the board and in the appropriations appropriation under s. 20.285  
10          (1) (jc), (ks), and (qj).

11          **SECTION 212.** 36.61 (5) (a) of the statutes is amended to read:

12          36.61 (5) (a) The obligation of the board to make payments under an agreement  
13          entered into under sub. (3) is subject to the availability of funds made available by  
14          the board and in the appropriations appropriation under s. 20.285 (1) (jc), (ks), and  
15          (qj).

16          **SECTION 213.** 36.61 (5) (b) (intro.) of the statutes is amended to read:

17          36.61 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,  
18          when added to the cost of loan repayments scheduled under existing agreements,  
19          exceeds the total amount made available by the board and available in the  
20          appropriations appropriation under s. 20.285 (1) (jc), (ks), and (qj), the board shall  
21          establish priorities among the eligible applicants based upon the following  
22          considerations:

23          **SECTION 214.** 36.61 (6) of the statutes is amended to read:

1           36.61 **(6)** LOCAL PARTICIPATION. The board shall encourage contributions to the  
2           program under this section by counties, cities, villages and towns. Funds received  
3           under this subsection shall be credited to the appropriation account under s. 20.285  
4           ~~(1) (j) c).~~

5           **SECTION 215.** 36.61 (6m) (a) of the statutes is renumbered 36.61 (6m).

6           **SECTION 216.** 36.61 (6m) (b) of the statutes is repealed.

          \*\*\*\*NOTE: Section 36.61 (6m) (b) requires penalties to be credited to the  
          appropriation under s. 20.285 (1) (j) c), which is repealed.

7           **SECTION 217.** 36.65 of the statutes is created to read:

8           **36.65 Annual reports. (1) DEFINITION.** In this section, “chancellor” means  
9           the chancellor of the University of Wisconsin–Madison.

10          **(2) REPORTS.** Annually, the board and the chancellor shall each submit an  
11          accountability report to the governor and to the legislature under s. 13.172 (2). The  
12          reports shall include all of the following information, the board’s report with respect  
13          to the system other than the University of Wisconsin–Madison, and the chancellor’s  
14          report with respect to the University of Wisconsin–Madison:

15           (a) *Performance.* The graduation rate, the total number of graduates, the time  
16           needed to graduate, the number of credits needed to obtain a degree, retention rates,  
17           placement of graduates, and the percentage of residents and nonresidents who  
18           reside in this state 10 years after graduation.

19           (b) *Financial.* Financial reports from each institution and each college campus,  
20           prepared using generally accepted accounting principles.

21           (c) *Access and affordability.* A profile of enrolled students, including mean per  
22           capita family income, the percentage of resident and nonresident students who are  
23           low-income, the percentage of resident and nonresident students who are members

1 of minority groups, the number of transfers from other institutions and other colleges  
2 within this state, the published cost for resident students and the actual cost for  
3 resident students once financial aid is subtracted, and increases in available  
4 institutional financial aid for students with a demonstrated need.

5 (d) *Undergraduate education.* The extent of access to required courses and to  
6 popular majors, the majors offered, improvements in overall student experience,  
7 efforts to close the achievement gap between majority and underrepresented  
8 minority students, and post-graduation success.

9 (e) *Graduate and professional education.* The number of graduate degrees  
10 awarded; the number of professional graduates in key areas, including physicians,  
11 nurses, business, engineers, pharmacists, veterinarians, and lawyers; and  
12 incentives provided for remaining in this state after graduation.

13 (f) *Faculty.* A profile of the faculty, including faculty teaching loads, success or  
14 failure in recruiting and retaining scholars, and teachers who are rated at the top of  
15 their fields.

16 (g) *Economic development.* The amount and source of research funds and other  
17 new revenue brought into the state, the number of government contracts received,  
18 the number of research projects in progress or completed, the number of patents and  
19 licenses for system inventions, the number of new businesses created or spun off, the  
20 number of secondary businesses affiliated with the system or system-sponsored  
21 research projects, support provided to existing industries throughout the state, job  
22 growth from support to existing industries and new businesses, the number of jobs  
23 created in campus areas, the number of jobs created statewide, and a comparison of  
24 economic indicators for campus and other areas.

1           (h) *Collaboration*. Partnerships and collaborative relationships with system  
2 administration and institutions.

3           **SECTION 218.** 39.50 (1) of the statutes is amended to read:

4           **39.50 (1) UNIVERSITY OF WISCONSIN SYSTEM.** At the end of each semester, the  
5 Board of Regents of the University of Wisconsin System shall certify to the board the  
6 number of students enrolled in the University of Wisconsin System to whom any fees  
7 or nonresident tuition has been remitted under s. 36.27 (3n) or (3p), the number of  
8 credits for which those fees or that nonresident tuition has been remitted, and the  
9 amount of fees and nonresident tuition remitted. Subject to sub. (3m), if the board  
10 approves the information certified under this subsection, the board, from the  
11 appropriation account under s. 20.235 (1) (fz), shall reimburse the board of regents  
12 for the full amount of fees and nonresident tuition remitted. ~~The board of regents~~  
13 ~~shall credit any amounts received under this subsection to the appropriation under~~  
14 ~~s. 20.285 (1) (k) and shall expend those amounts received for degree credit~~  
15 ~~instruction.~~

16           **SECTION 219.** 40.02 (30) of the statutes is amended to read:

17           **40.02 (30)** “Executive participating employee” means a participating employee  
18 in a position designated under s. 19.42 (10) (L) or 20.923 (4), ~~(4g)~~, (7), (8), or (9) or  
19 authorized under s. 230.08 (2) (e) during the time of employment, and also includes  
20 the president and vice presidents of the University of Wisconsin System and the  
21 chancellors and vice chancellors who are serving as deputies of all University of  
22 Wisconsin campuses, the University of Wisconsin Colleges, and the University of  
23 Wisconsin-Extension. All service credited prior to May 17, 1988, as executive  
24 service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as  
25 executive service as defined under s. 40.02 (31), 1985 stats., but no other service

1 rendered prior to May 17, 1988, may be changed to executive service as defined  
2 under s. 40.02 (31), 1985 stats.

3 **SECTION 220.** 71.10 (5f) (i) of the statutes is amended to read:

4 71.10 (5f) (i) *Appropriations and payment*. From the moneys received from  
5 designations for the breast cancer research program, an amount equal to the sum of  
6 administrative expenses, including data processing costs, certified under par. (h) 1.  
7 shall be deposited in the general fund and credited to the appropriation account  
8 under s. 20.566 (1) (hp), and, of the net amount remaining that is certified under par.  
9 (h) 3., an amount equal to 50 percent shall be credited to the appropriation account  
10 under s. 20.250 (2) (g) and an amount equal to 50 percent shall be ~~credited to the~~  
11 ~~appropriation account under s. 20.285 (1) (gm)~~ paid to the University of Wisconsin  
12 System for breast cancer research conducted by the University of Wisconsin Carbone  
13 Cancer Center.

14 **SECTION 221.** 71.10 (5h) (i) of the statutes is amended to read:

15 71.10 (5h) (i) *Appropriations, ~~disbursement of funds to the fund~~ and payment*.  
16 From the moneys received from designations for the prostate cancer research  
17 program, an amount equal to the sum of administrative expenses, including data  
18 processing costs, certified under par. (h) 1. shall be deposited in the general fund and  
19 credited to the appropriation account under s. 20.566 (1) (hp), and, of the net amount  
20 remaining that is certified under par. (h) 3., an amount equal to 50 percent shall be  
21 credited to the appropriation ~~accounts~~ account under ~~ss. s.~~ s. 20.250 (2) (h) and ~~20.285~~  
22 ~~(1) (gm)~~ an amount equal to 50 percent shall be paid to the University of Wisconsin  
23 System, for the use specified under s. 255.054 (1).

24 **SECTION 222.** 94.64 (4) (c) 3. of the statutes is amended to read:

1           94.64 **(4)** (c) 3. The department shall ~~credit~~ pay the fee fees collected under par.  
2           (a) 3. to the ~~appropriation account under s. 20.285 (1) (hm)~~ board of regents of the  
3           University of Wisconsin System to be used for University of Wisconsin–Extension  
4           outreach services.

5           **SECTION 223.** 111.335 (1) (cv) of the statutes is amended to read:

6           111.335 **(1)** (cv) Notwithstanding s. 111.322, it is not employment  
7           discrimination because of conviction record to refuse to employ in a position in the  
8           classified service ~~or in a position described in s. 230.08 (2) (k)~~ a person who has been  
9           convicted under 50 USC, Appendix, section 462 for refusing to register with the  
10          selective service system and who has not been pardoned.

11          **SECTION 224.** 111.81 (7) (ar) of the statutes is created to read:

12          111.81 **(7)** (ar) Any employee in the unclassified service of the state who is  
13          employed by the University of Wisconsin System except academic faculty under s.  
14          36.13 and academic staff under s. 36.15.

15          **SECTION 225.** 111.81 (7) (at) of the statutes is created to read:

16          111.81 **(7)** (at) Any employee in the unclassified service of the state who is  
17          employed by the University of Wisconsin–Madison except academic faculty under s.  
18          36.13 and academic staff under s. 36.15.

19          **SECTION 226.** 111.815 (1) of the statutes is amended to read:

20          111.815 **(1)** In the furtherance of this subchapter, the state shall be considered  
21          as a single employer and employment relations policies and practices throughout the  
22          state service shall be as consistent as practicable. The office shall negotiate and  
23          administer collective bargaining agreements except that the department of health  
24          services, subject to the approval of the federal centers for medicare and medicaid  
25          services to use collective bargaining as the method of setting rates for

1 reimbursement of home care providers, shall negotiate and administer collective  
2 bargaining agreements entered into with the collective bargaining unit specified in  
3 s. 111.825 (2g). To coordinate the employer position in the negotiation of agreements,  
4 the office, or the department of health services with regard to collective bargaining  
5 agreements entered into with the collective bargaining unit specified in s. 111.825  
6 (2g), shall maintain close liaison with the legislature relative to the negotiation of  
7 agreements and the fiscal ramifications of those agreements. Except with respect  
8 to the collective bargaining units specified in s. 111.825 (1m), (1r), (1t), (2) (f), and  
9 (2g), the office is responsible for the employer functions of the executive branch under  
10 this subchapter, and shall coordinate its collective bargaining activities with  
11 operating state agencies on matters of agency concern. The legislative branch shall  
12 act upon those portions of tentative agreements negotiated by the office that require  
13 legislative action. With respect to the collective bargaining units specified in s.  
14 111.825 (1m), the University of Wisconsin Hospitals and Clinics Board is responsible  
15 for the employer functions under this subchapter. With respect to the collective  
16 bargaining units specified in s. 111.825 (1r), the board of regents of the University  
17 of Wisconsin System is responsible for the employer functions under this subchapter.  
18 With respect to the collective bargaining units specified in s. 111.825 (1t), the  
19 University of Wisconsin–Madison is responsible for the employer functions under  
20 this subchapter. With respect to the collective bargaining unit specified in s. 111.825  
21 (2) (f), the governing board of the charter school established by contract under s.  
22 118.40 (2r) (cm) is responsible for the employer functions under this subchapter.  
23 With respect to the collective bargaining unit specified in s. 111.825 (2g), the  
24 department of health services is responsible for the employer functions of the  
25 executive branch under this subchapter.

1           **SECTION 227.** 111.815 (2) of the statutes is amended to read:

2           111.815 **(2)** In the furtherance of the policy under s. 111.80 (4), the director of  
3           the office shall, together with the appointing authorities or their representatives,  
4           represent the state in its responsibility as an employer under this subchapter except  
5           with respect to negotiations in the collective bargaining units specified in s. 111.825  
6           (1m), (1r), (1t), (2) (f), and (2g). The director of the office shall establish and maintain,  
7           wherever practicable, consistent employment relations policies and practices  
8           throughout the state service.

9           **SECTION 228.** 111.825 (1r) of the statutes is created to read:

10          111.825 **(1r)** Except as provided in sub. (2), collective bargaining units for  
11          employees in the unclassified service of the state who are employed by the University  
12          of Wisconsin System are structured with one collective bargaining unit for each of  
13          the following occupational groups:

- 14           (a) Administrative support.
- 15           (b) Blue collar and nonbuilding trades.
- 16           (c) Building trades crafts.
- 17           (cm) Law enforcement.
- 18           (d) Security and public safety.
- 19           (e) Technical.
- 20           (f) Professional:
  - 21               1. Fiscal and staff services.
  - 22               2. Research, statistics, and analysis.
  - 23               3. Legal.
  - 24               4. Patient treatment.
  - 25               5. Patient care.

1           6. Social services.

2           7. Education.

3           8. Engineering.

4           9. Science.

5           **SECTION 229.** 111.825 (1t) of the statutes is created to read:

6           111.825 **(1t)** Except as provided in sub. (2), collective bargaining units for  
7 employees in the unclassified service of the state who are employed by the University  
8 of Wisconsin–Madison are structured with one collective bargaining unit for each of  
9 the following occupational groups:

10           (a) Administrative support.

11           (b) Blue collar and nonbuilding trades.

12           (c) Building trades crafts.

13           (cm) Law enforcement.

14           (d) Security and public safety.

15           (e) Technical.

16           (f) Professional:

17           1. Fiscal and staff services.

18           2. Research, statistics, and analysis.

19           3. Legal.

20           4. Patient treatment.

21           5. Patient care.

22           6. Social services.

23           7. Education.

24           8. Engineering.

25           9. Science.

1           **SECTION 230.** 111.825 (2) (a) of the statutes is amended to read:

2           111.825 (2) (a) The program, project and teaching assistants of the University  
3 of Wisconsin–Madison ~~and~~.

4           ~~(am) The program, project, and teaching assistants of~~ the University of  
5 Wisconsin–Extension.

6           **SECTION 231.** 111.825 (2) (g) of the statutes is amended to read:

7           111.825 (2) (g) Research assistants of the University of Wisconsin–Madison  
8 ~~and~~.

9           ~~(gm) Research assistants of the~~ University of Wisconsin–Extension.

10          **SECTION 232.** 111.825 (3) of the statutes is amended to read:

11          111.825 (3) The commission shall assign employees to the appropriate  
12 collective bargaining units set forth in subs. (1), (1m), ~~(1r)~~, ~~(1t)~~, (2), and (2g).

13          **SECTION 233.** 111.825 (3m) of the statutes is created to read:

14          111.825 (3m) If, on or after the effective date of this subsection .... [LRB inserts  
15 date], the University of Wisconsin–Madison or the board of regents of the University  
16 of Wisconsin System creates a new position title or classification for a position, the  
17 commission shall, within 30 days of being notified of the creation, determine if the  
18 title or classification would make the person who holds the position an employee  
19 under s. 111.81 (7) (ar) or (at) and assign any new position title or classification that  
20 is an employee to the appropriate collective bargaining unit under s. 111.825 (1r) or  
21 (1t).

22          **SECTION 234.** 111.825 (4) of the statutes is amended to read:

23          111.825 (4) Any labor organization may petition for recognition as the exclusive  
24 representative of a collective bargaining unit specified in sub. (1), (1m), ~~(1r)~~, ~~(1t)~~, (2),  
25 or (2g) in accordance with the election procedures set forth in s. 111.83, provided the

1 petition is accompanied by a 30% showing of interest in the form of signed  
2 authorization cards. Each additional labor organization seeking to appear on the  
3 ballot shall file petitions within 60 days of the date of filing of the original petition  
4 and prove, through signed authorization cards, that at least 10% of the employees  
5 in the collective bargaining unit want it to be their representative.

6 **SECTION 235.** 111.825 (6) of the statutes is amended to read:

7 111.825 (6) The commission shall ~~only~~ assign only an employee of the  
8 department of administration, department of transportation, University of  
9 Wisconsin-Madison, or board of regents of the University of Wisconsin System who  
10 engages in the detection and prevention of crime, who enforces the laws and who is  
11 authorized to make arrests for violations of the laws; an employee of the department  
12 of administration, department of transportation, University of Wisconsin-Madison,  
13 or board of regents of the University of Wisconsin System who provides technical law  
14 enforcement support to such employees; and an employee of the department of  
15 transportation who engages in motor vehicle inspection or operator's license  
16 examination to ~~the~~ a collective bargaining unit under sub. (1) (cm), (1r) (cm), or (1t)  
17 (cm), whichever is appropriate.

18 **SECTION 236.** 111.83 (7) of the statutes is renumbered 111.83 (7) (a).

19 **SECTION 237.** 111.83 (7) (b) of the statutes is created to read:

20 111.83 (7) (b) Notwithstanding subs. (1), (3) and (6) and s. 111.825 (4), if on the  
21 effective date of this paragraph ... [LRB inserts date], there is a representative  
22 recognized or certified to represent the employees in any of the collective bargaining  
23 units specified in s. 111.825 (1) (a) to (f), that representative shall become the  
24 representative of the employees in the corresponding collective bargaining units  
25 specified in s. 111.825 (1r) (a) to (f) or (1t) (a) to (f), whichever is appropriate, without

1 the necessity of filing a petition or conducting an election, subject to the right of any  
2 person to file a petition under this section during October 2014 or at any subsequent  
3 time when sub. (6) applies.

4 **SECTION 238.** 111.84 (2) (c) of the statutes is amended to read:

5 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91  
6 (1) with the duly authorized officer or agent of the employer which is the recognized  
7 or certified exclusive collective bargaining representative of employees specified in  
8 s. 111.81 (7) (a) in an appropriate collective bargaining unit or with the certified  
9 exclusive collective bargaining representative of employees specified in s. 111.81 (7)  
10 ~~(b)~~ (ar) to (g) in an appropriate collective bargaining unit. Such refusal to bargain  
11 shall include, but not be limited to, the refusal to execute a collective bargaining  
12 agreement previously orally agreed upon.

13 **SECTION 239.** 111.85 (5) of the statutes is renumbered 111.85 (5) (a).

14 **SECTION 240.** 111.85 (5) (b) of the statutes is created to read:

15 111.85 (5) (b) Notwithstanding sub. (1), if on the effective date of this paragraph  
16 .... [LRB inserts date], there is a fair-share or maintenance of membership  
17 agreement in effect in any of the collective bargaining units specified in s. 111.825  
18 (1) (a) to (f), that fair-share or maintenance of membership agreement shall apply  
19 to the corresponding collective bargaining unit under s. 111.825 (1r) (a) to (f) or (1t)  
20 (a) to (f), whichever is appropriate, without the necessity of filing a petition or  
21 conducting a referendum, subject to the right of the employees in each collective  
22 bargaining unit to file a petition requesting a referendum under sub. (2) (a).

23 **SECTION 241.** 111.91 (4) of the statutes is amended to read:

24 111.91 (4) The director of the office, in connection with the development of  
25 tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a) 1.

**SECTION 241**

1 shall endeavor to obtain tentative agreements with each recognized or certified labor  
2 organization representing employees or supervisors of employees specified in s.  
3 111.81 (7) (a) and with each certified labor organization representing employees  
4 specified in s. 111.81 (7) ~~(b)~~ (ar) to (e) which do not contain any provision for the  
5 payment to any employee of a cumulative or noncumulative amount of compensation  
6 in recognition of or based on the period of time an employee has been employed by  
7 the state.

8 **SECTION 242.** 111.92 (1) (a) of the statutes is amended to read:

9 111.92 **(1)** (a) 1. Any tentative agreement reached between the office, or, as  
10 provided in s. 111.815 (1), the department of health services, acting for the state, and  
11 any labor organization representing a collective bargaining unit specified in s.  
12 111.825 (1), (2) (a) to (e), or (2g) shall, after official ratification by the labor  
13 organization, be submitted by the office or department of health services to the joint  
14 committee on employment relations, which shall hold a public hearing before  
15 determining its approval or disapproval.

16 4. If the committee approves ~~the~~ a tentative agreement under subd. 1., 2., or  
17 3., it shall introduce in a bill or companion bills, to be put on the calendar or referred  
18 to the appropriate scheduling committee of each house, that portion of the tentative  
19 agreement which requires legislative action for implementation, such as salary and  
20 wage adjustments, changes in fringe benefits, and any proposed amendments,  
21 deletions or additions to existing law. Such bill or companion bills are not subject to  
22 ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may, however, submit  
23 suitable portions of the tentative agreement to appropriate legislative committees  
24 for advisory recommendations on the proposed terms. The committee shall  
25 accompany the introduction of such proposed legislation with a message that informs

1 the legislature of the committee's concurrence with the matters under consideration  
2 and which recommends the passage of such legislation without change. If the joint  
3 committee on employment relations does not approve the tentative agreement, it  
4 shall be returned to the parties for renegotiation. If the legislature does not adopt  
5 without change that portion of the tentative agreement introduced by the joint  
6 committee on employment relations, the tentative agreement shall be returned to  
7 the parties for renegotiation.

8 **SECTION 243.** 111.92 (1) (a) 2. and 3. of the statutes are created to read:

9 111.92 **(1)** (a) 2. Any tentative agreement reached between the board of regents  
10 of the University of Wisconsin System, acting for the state, and any labor  
11 organization representing a collective bargaining unit specified in s. 111.825 (1r)  
12 shall, after official ratification by the labor organization, be submitted by the board  
13 of regents of the University of Wisconsin System to the joint committee on  
14 employment relations, which shall hold a public hearing before determining its  
15 approval or disapproval.

16 3. Any tentative agreement reached between the University of  
17 Wisconsin–Madison, acting for the state, and any labor organization representing a  
18 collective bargaining unit specified in s. 111.825 (1t) shall, after official ratification  
19 by the labor organization and approval by the board of regents of the University of  
20 Wisconsin System, be submitted by the University of Wisconsin–Madison to the joint  
21 committee on employment relations, which shall hold a public hearing before  
22 determining its approval or disapproval.

23 **SECTION 244.** 111.93 (2) of the statutes is amended to read:

24 111.93 **(2)** All civil service and other applicable statutes concerning wages,  
25 fringe benefits, hours and conditions of employment apply to employees specified in

**SECTION 244**

1 s. 111.81 (7) (a) who are not included in collective bargaining units for which a  
2 representative is recognized or certified and to employees specified in s. 111.81 (7)  
3 ~~(b)~~ (ar) to (f) who are not included in a collective bargaining unit for which a  
4 representative is certified.

5 **SECTION 245.** 111.93 (3) of the statutes is amended to read:

6 111.93 (3) Except as provided in ss. 7.33 (4), 40.05, 40.80 (3), 111.91 (1) (cm),  
7 230.35 (2d) and (3) (e) 6., and 230.88 (2) (b), if a collective bargaining agreement  
8 exists between the employer and a labor organization representing employees in a  
9 collective bargaining unit, the provisions of that agreement shall supersede the  
10 provisions of civil service and other applicable statutes, as well as rules and policies  
11 of the University of Wisconsin–Madison and the board of regents of the University  
12 of Wisconsin System, related to wages, fringe benefits, hours, and conditions of  
13 employment whether or not the matters contained in those statutes, rules, and  
14 policies are set forth in the collective bargaining agreement.

15 **SECTION 246.** 111.935 (2) of the statutes is amended to read:

16 111.935 (2) Notwithstanding s. 111.83 (2), the commission shall establish a  
17 procedure whereby research assistants may determine whether to form themselves  
18 into collective bargaining units under s. 111.825 (2) (g), (gm), (h), or (i) by  
19 authorization cards in lieu of secret ballot. The procedure shall provide that once a  
20 majority of research assistants have indicated their preference on the authorization  
21 cards to form themselves into a collective bargaining unit, the collective bargaining  
22 unit is established.

23 **SECTION 247.** 227.01 (13) (Lm) of the statutes is created to read:

24 227.01 (13) (Lm) Relates to the personnel systems developed under s. 36.115.

25 **SECTION 248.** 230.01 (1) of the statutes is amended to read:

1           230.01 (1) It is the purpose of this chapter to provide state agencies ~~and~~  
2     ~~institutions of higher education~~ with competent personnel who will furnish state  
3     services to citizens as fairly, efficiently and effectively as possible.

4           **SECTION 249.** 230.03 (3) of the statutes, as affected by 2011 Wisconsin Act 7,  
5     is amended to read:

6           230.03 (3) “Agency” means any board, commission, committee, council, or  
7     department in state government or a unit thereof created by the constitution or  
8     statutes if such board, commission, committee, council, department, unit, or the  
9     head thereof, is authorized to appoint subordinate staff by the constitution or  
10    statute, except the board of regents of the University of Wisconsin System, a  
11    legislative or judicial board, commission, committee, council, department, or unit  
12    thereof or an authority created under subch. II of ch. 114 or subch. III of ch. 149 or  
13    under ch. 52, 231, 232, 233, 234, 235, 237, 238, or 279. “Agency” does not mean any  
14    local unit of government or body within one or more local units of government that  
15    is created by law or by action of one or more local units of government.

16          **SECTION 250.** 230.03 (6) of the statutes is amended to read:

17          230.03 (6) “Civil service” means all offices and positions of trust or employment  
18    in the service of the state, except offices and positions in the organized militia and  
19    the board of regents of the University of Wisconsin System.

20          **SECTION 251.** 230.03 (6m) of the statutes is created to read:

21          230.03 (6m) “Classified service” means the classified service of the civil service.

22          **SECTION 252.** 230.03 (10h) of the statutes is created to read:

23          230.03 (10h) “Employee” or “state employee” means an employee of an agency.

24          **SECTION 253.** 230.03 (13) of the statutes is created to read:

1           230.03 (13) “Unclassified service” means the unclassified service of the civil  
2 service.

3           **SECTION 254.** 230.08 (2) (cm) of the statutes is repealed.

4           **SECTION 255.** 230.08 (2) (d) of the statutes is repealed.

5           **SECTION 256.** 230.08 (2) (dm) of the statutes is repealed.

6           **SECTION 257.** 230.08 (2) (k) of the statutes is repealed.

7           **SECTION 258.** 230.09 (2) (g) of the statutes is amended to read:

8           230.09 (2) (g) When filling a new or vacant position, if the director determines  
9 that the classification for a position is different than that provided for by the  
10 legislature as established by law or in budget determinations, or as authorized by the  
11 joint committee on finance under s. 13.10, or as specified by the governor creating  
12 positions under s. 16.505 (1) (c) or (2), or the University of Wisconsin Hospitals and  
13 Clinics Board creating positions under s. 16.505 (2n) ~~or the board of regents of the~~  
14 ~~University of Wisconsin System creating positions under s. 16.505 (2m), or is~~  
15 different than that of the previous incumbent, the director shall notify the  
16 administrator and the secretary of administration. The administrator shall  
17 withhold action on the selection and certification process for filling the position. The  
18 secretary of administration shall review the position to determine that sufficient  
19 funds exist for the position and that the duties and responsibilities of the proposed  
20 position reflect the intent of the legislature as established by law or in budget  
21 determinations, the intent of the joint committee on finance acting under s. 13.10,  
22 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), or the  
23 University of Wisconsin Hospitals and Clinics Board creating positions under s.  
24 16.505 (2n) ~~or the intent of the board of regents of the University of Wisconsin System~~  
25 ~~creating positions under s. 16.505 (2m).~~ The administrator may not proceed with the

1 selection and certification process until the secretary of administration has  
2 authorized the position to be filled.

3 **SECTION 259.** 230.10 (2) of the statutes is amended to read:

4 230.10 **(2)** The compensation plan in effect at the time that a representative  
5 is recognized or certified to represent employees in a collective bargaining unit and  
6 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time  
7 that a representative is certified to represent employees in a collective bargaining  
8 unit under subch. V of ch. 111 constitute the compensation plan or employee salary  
9 and benefit provisions for employees in the collective bargaining unit until a  
10 collective bargaining agreement becomes effective for that unit. If a collective  
11 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of  
12 a subsequent agreement, and a representative continues to be recognized or certified  
13 to represent employees specified in s. 111.81 (7) (a) or certified to represent  
14 employees specified in s. 111.81 (7) ~~(b)~~ (ar) to (f) in that collective bargaining unit, the  
15 wage rates of the employees in such a unit shall be frozen until a subsequent  
16 agreement becomes effective, and the compensation plan under s. 230.12 and salary  
17 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the  
18 unit.

19 **SECTION 260.** 230.12 (1) (a) 1. b. of the statutes is amended to read:

20 230.12 **(1)** (a) 1. b. The provisions governing the pay of all unclassified positions  
21 except positions for ~~employees of the University of Wisconsin System~~, for employees  
22 of the legislature who are not identified under s. 20.923 (4), for employees of a service  
23 agency under subch. IV of ch. 13, for employees of the state court system, for  
24 employees of the investment board identified under s. 230.08 (2) (p), for one  
25 stenographer employed by each elective executive officer under s. 230.08 (2) (g), for

1 3 sales representatives of prison industries and one sales manager of prison  
2 industries identified under s. 303.01 (10), and for sales and development professional  
3 of the historical society employed under s. 44.20 (4) (a).

4 **SECTION 261.** 230.12 (3) (e) (title) of the statutes is amended to read:

5 230.12 (3) (e) (title) ~~University of Wisconsin System senior executives, faculty,~~  
6 ~~and academic staff employees; Wisconsin Technical College System senior executives.~~

7 **SECTION 262.** 230.12 (3) (e) 1. of the statutes is repealed.

8 **SECTION 263.** 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

9 **SECTION 264.** 230.143 (intro.) of the statutes is renumbered 230.143 and  
10 amended to read:

11 **230.143 Appointment; selective service registration.** A person who is  
12 required to register with the selective service system under 50 USC, Appendix,  
13 sections 451 to 473, but has not registered, may not receive ~~any of the following an~~  
14 original appointment to a position in the classified service during the period that the  
15 person is required to register.

16 **SECTION 265.** 230.143 (1) of the statutes is repealed.

17 **SECTION 266.** 230.143 (2) of the statutes is repealed.

18 **SECTION 267.** 230.34 (1) (ar) of the statutes is amended to read:

19 230.34 (1) (ar) Paragraphs (a) and (am) apply to all employees with permanent  
20 status in class in the classified service and all employees who have served with the  
21 state as an assistant district attorney for a continuous period of 12 months or more,  
22 except that for employees specified in s. 111.81 (7) (a) in a collective bargaining unit  
23 for which a representative is recognized or certified, or for employees specified in s.  
24 111.81 (7) (b) ~~(ar)~~ or (c) in a collective bargaining unit for which a representative is  
25 certified, if a collective bargaining agreement is in effect covering employees in the

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1 collective bargaining unit, the determination of just cause and all aspects of the  
2 appeal procedure shall be governed by the provisions of the collective bargaining  
3 agreement.

4 **SECTION 268.** 230.36 (1m) (b) 2. (intro.) of the statutes is amended to read:

5 230.36 **(1m)** (b) 2. (intro.) A conservation warden, conservation patrol boat  
6 captain, conservation patrol boat engineer, member of the state patrol, state motor  
7 vehicle inspector, ~~University of Wisconsin System police officer, security officer, or~~  
8 ~~security person,~~ other state facilities police officer, special tax agent, excise tax  
9 investigator employed by the department of revenue, and special criminal  
10 investigation agent employed by the department of justice at all times while:

11 **SECTION 269.** 230.36 (2m) (a) 14. of the statutes is amended to read:

12 230.36 **(2m)** (a) 14. A ~~University of Wisconsin System police officer or other~~  
13 state facilities police officer ~~and~~ or patrol officer.

14 **SECTION 270.** 255.054 (1) of the statutes is amended to read:

15 255.054 **(1)** The Medical College of Wisconsin, Inc., and the University of  
16 Wisconsin ~~Comprehensive~~ Carbone Cancer Center shall use the moneys  
17 appropriated under ~~ss. s. 20.250 (2) (h) and 20.285 (1) (gn) the moneys paid under~~  
18 s. 71.10 (5h) (i) for prostate cancer research projects. These moneys may not be used  
19 to supplant funds available for prostate cancer research from other sources.

20 **SECTION 271.** 255.055 (1) of the statutes is amended to read:

21 255.055 **(1)** The Medical College of Wisconsin, Inc., and the University of  
22 Wisconsin ~~Comprehensive~~ Carbone Cancer Center shall use the moneys  
23 appropriated under ~~ss. s. 20.250 (2) (g) and 20.285 (1) (gm) the moneys paid under~~  
24 s. 71.10 (5f) (i) for breast cancer research projects. These moneys may not be used  
25 to supplant funds available for breast cancer research from other sources.

1           **SECTION 272.** 341.14 (6r) (b) 4. of the statutes is amended to read:

2           341.14 **(6r)** (b) 4. An additional fee of \$20 that is in addition to the fee under  
3       subd. 2. shall be charged for the issuance or renewal of a plate issued on an annual  
4       basis for a special group specified under par. (f) 35. to 47. An additional fee of \$40  
5       that is in addition to the fee under subd. 2. shall be charged for the issuance or  
6       renewal of a plate issued on a biennial basis for a special group specified under par.  
7       (f) 35. to 47. if the plate is issued or renewed during the first year of the biennial  
8       registration period or \$20 for the issuance or renewal if the plate is issued or renewed  
9       during the 2nd year of the biennial registration period. The fee under this  
10      subdivision is deductible as a charitable contribution for purposes of the taxes under  
11      ch. 71. The department shall pay all moneys received under this subdivision to the  
12      Board of Regents of the University of Wisconsin system to fund the scholarship  
13      programs under s. 36.44.

14           **SECTION 9152. Nonstatutory provisions; University of Wisconsin**  
15      **System.**

16           (1) SUPPLEMENTAL PAY PLANS DURING 2011-13 FISCAL BIENNIUM.

17           (a) *Board of Regents of the University of Wisconsin System.* During the 2011-13  
18      fiscal biennium, the Board of Regents of the University of Wisconsin System may  
19      provide supplemental pay plans for all of its employees, other than employees  
20      assigned to the University of Wisconsin-Madison. The supplemental pay plans shall  
21      be in addition to any pay plan approved under section 230.12 (3) (e) 1. of the statutes.  
22      The board may not request supplemental funding under section 20.928 of the  
23      statutes to pay the costs of these plans and the board, under section 16.42 of the  
24      statutes, may not request any funding of increases in salary and fringe benefit costs  
25      provided in these plans.

1           (b) *Chancellor of the University of Wisconsin–Madison.* During the 2011–13  
2       fiscal biennium, the chancellor of the University of Wisconsin–Madison may provide  
3       supplemental pay plans for all employees assigned to the University of  
4       Wisconsin–Madison. The supplemental pay plans shall be in addition to any pay  
5       plan approved under section 230.12 (3) (e) 1. of the statutes. The chancellor shall  
6       submit the plans to the Board of Regents of the University of Wisconsin System. If  
7       the chairperson of the board does not notify the chancellor that the board has  
8       scheduled a meeting for the purpose of reviewing the plans within 14 working days  
9       after the date of the submittal, the plans may be implemented as proposed by the  
10      chancellor. If, within 14 working days after the date of the submittal, the chairperson  
11      of the board notifies the chancellor that the board has scheduled a meeting for the  
12      purpose of reviewing the plans, the plans may be implemented only upon approval  
13      of the board. The board may not request supplemental funding under section 20.928  
14      of the statutes to pay the costs of these plans and the board, under section 16.42 of  
15      the statutes, may not request any funding of increases in salary and fringe benefit  
16      costs provided in these plans.

17           (2) INTERIM BIDDING PROCEDURES PENDING RULE APPROVAL. Notwithstanding  
18      sections 16.855 (23) and s. 36.11 (53) of the statutes, as created by this act, all  
19      construction work for each project that is constructed by or for the University of  
20      Wisconsin System that is exempted from compliance with the provisions of section  
21      16.855 (1) to (10), (13), and (14) of the statutes under this act shall remain subject  
22      to the provisions of section 16.855 (1) to (10), (13), and (14) of the statutes until the  
23      effective date of the rules required under section 36.11 (53) of the statutes, as created  
24      by this act.

1           (3) TELECOMMUNICATIONS SERVICES. The Board of Regents of the University of  
2       Wisconsin System shall ensure that the amount it expends on telecommunications  
3       services, as defined in section 36.585 (1) of the statutes, as created by this act, during  
4       the 2011–13 fiscal biennium is reduced by an amount equal to the total value of  
5       funds, goods, and services that have been or will be distributed or committed to be  
6       distributed by or on behalf of the board or any institution or college campus or the  
7       extension to any participant, contractor, or supplier related to the Building  
8       Community Capacity Through Broadband Project, identified in section 36.585 (4) (a)  
9       of the statutes, as created by this act.

10          (4) TUITION.

11          (a) Notwithstanding section 36.27 (1) of the statutes, the Board of Regents of  
12       the University of Wisconsin System may not charge resident undergraduates  
13       enrolled in the 2011–12 or 2012–13 academic year academic fees that are more than  
14       5.5 percent greater than the academic fees charged resident undergraduates in the  
15       previous academic year.

16          (b) The limit under paragraph (a) does not apply to differential tuition  
17       approved by the Board of Regents before June 1, 2011.

18          (5) STUDY.

19          (a) In this subsection:

20            1. “Board” means the Board of Regents of the system.

21            2. “System” means the University of Wisconsin System.

22          (b) There is created a Special Task Force on UW Restructuring and Operational  
23       Flexibilities to study the system. The task force shall consist of the following  
24       members:

1           1. Six members appointed by the speaker of the assembly, including 3 business  
2           or public leaders, 2 current or former system chancellors or board members, and one  
3           member of the assembly.

4           2. Six members appointed by the senate majority leader, including 3 business  
5           or public leaders, 2 current or former system chancellors, or board members, and one  
6           member of the senate.

7           3. One member of the senate appointed by the senate minority leader and one  
8           member of the assembly appointed by the minority leader in the assembly.

9           4. Two members appointed by the governor.

10          5. One member appointed by the cochairpersons of the joint committee on  
11          finance.

12          (c) The member appointed under paragraph (b) 5. shall serve as chairperson  
13          of the task force. The president of the system, the secretary of administration, and  
14          the legislative fiscal bureau shall provide staff services for the task force.

15          (d) In conducting its study, the task force shall address the following issues:

16           1. Whether there is a need to restructure the system and, if there is a need, how  
17           to do so.

18           2. How system employees and those system employees assigned to the  
19           University of Wisconsin–Madison would transition from the state personnel system  
20           to the new personnel systems.

21           3. Whether tuition flexibility can be extended to the system while ensuring  
22           access and affordability, and what role the legislature should have in establishing  
23           tuition.

24           4. How compensation plans for system employees should be determined in  
25           future biennia.

1 5. Additional flexibilities that could be provided to system institutions.

2 6. How articulation and the transfer of credits between system institutions  
3 could be improved.

4 (e) By January 1, 2012, the task force shall submit its report to the appropriate  
5 standing committees of the legislature, as determined by the speaker of the assembly  
6 and the president of the senate, in the manner provided under section 13.172 (3) of  
7 the statutes, and to the joint committee on finance.

8 (f) Section 15.04 (1) (c) of the statutes applies to the task force as if it were a  
9 committee created under that paragraph. Task force expenses shall be paid from the  
10 appropriation under section 20.855 (7) (a) of the statutes, as created by this act.

11 (6) WISCNET. The legislative audit bureau shall conduct a financial and  
12 performance evaluation audit of the use of telecommunications services by the Board  
13 of Regents of the University of Wisconsin System and the board's relationship with  
14 Wisconsin's Research and Education Network, known as WiscNet. The legislative  
15 audit bureau shall file its report as provided in section 13.94 (1) (b) of the statutes.

16 **SECTION 9452. Effective dates; University of Wisconsin System.**

17 (1) UNIVERSITY OF WISCONSIN. The treatment of sections 16.004 (7) (a), 16.50 (3)  
18 (b) and (c), 16.505 (1) (intro.), (2m), (2p), and (4) (b) and (c), 16.705 (1r) (d) and (e),  
19 16.71 (1m) (by SECTION 23) and (4), 16.72 (8), 16.73 (5), 16.75 (3t) (c) 1. and 6. and (12)  
20 (a) 1., 16.78 (1), 16.84 (10), 16.847 (1) (b), 16.848 (2) (b), 16.993 (7), 19.42 (13) (b), (c),  
21 and (cm), 19.45 (11) (a) and (b), 20.865 (1) (c), (ci), (cj), (cm), (d), (i), (ic), (im), (j), (s),  
22 (si), (sm), and (t), 20.916 (10), 20.923 (4g), (5), (6) (Lm) and (m), (14) (b), (15) (b), and  
23 (16), 20.928 (1), (1m), and (4), 36.09 (1) (e), (i), (j), and (k), 36.15 (2), 36.30, 36.52, 36.58  
24 (5), 40.02 (30), 111.335 (1) (cv), 111.81 (7) (ar) and (at), 111.815 (1) and (2), 111.825  
25 (1r), (1t), (2) (a) and (g), (3), (3m), (4), and (6), 111.84 (2) (c), 111.91 (4), 111.93 (2) and

1 (3), 111.935 (2), 230.01 (1), 230.03 (3), (6), (6m), (10h), and (13), 230.08 (2) (cm), (d),  
2 (dm), and (k), 230.09 (2) (g), 230.10 (2), 230.12 (1) (a) 1. b. and (3) (e) (title), 1., and  
3 2., 230.34 (1) (ar), and 230.36 (1m) (b) 2. (intro.) and (2m) (a) 14. of the statutes, the  
4 repeal of section 20.143 (1) and (2) of the statutes, the renumbering of sections 111.83  
5 (7) and 111.85 (5) of the statutes, the renumbering and amendment of sections 16.417  
6 (2) (f) and 230.143 (intro.) of the statutes, the amendment of section 111.92 (1) (a) of  
7 the statutes, the creation of sections 16.417 (2) (f) 2., 111.83 (7) (b), 111.85 (5) (b), and  
8 111.92 (1) (a) 2. and 3. of the statutes, and SECTION 9152 (1) of this act take effect on  
9 July 1, 2013.

10 (END)

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2204/P3ins  
PG/MK/CH/RC/JTK:cjs:rs

**Insert 26-22:**

**SECTION 1.** 20.865 (1) (ci) of the statutes is amended to read:

20.865 (1) (ci) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* A sum sufficient to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d)~~ who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (cj).

**History:** 1971 c. 125; 1971 c. 270 ss. 94, 95, 104; 1973 c. 90, 117, 151; 1973 c. 243 s. 82; 1973 c. 333; Sup. Ct. Order, 67 Wis. 2d 773 (1975); 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 81, 224; 1977 c. 29, 44; 1977 c. 196 ss. 130 (8), 131; 1977 c. 203; 1977 c. 272 s. 98; 1977 c. 273, 344; 1977 c. 418 ss. 175d to 178, 929 (1); 1979 c. 32 s. 92 (5); 1979 c. 34 ss. 631b, 631d, 631f, 631h, 667 to 675; 1979 c. 48, 126, 221; 1981 c. 20, 96, 314, 317, 391; 1983 a. 27 ss. 498 to 526, 2204 (57) (b); 1983 a. 36; 1983 a. 191 s. 6; 1983 a. 192, 409; 1985 a. 29, 42, 52, 111; 1985 a. 182 s. 57; 1987 a. 27, 378; 1987 a. 403 ss. 28, 256; 1989 a. 31, 39, 336; 1991 a. 39; 1993 a. 16; 1995 a. 27, 201, 227, 400, 445; 1997 a. 27, 35, 41, 237; 1999 a. 9; 2001 a. 16, 106; 2003 a. 33; 2005 a. 25; 2007 a. 20, 200; 2009 a. 28.

**Insert 27-18:**

**SECTION 2.** 20.865 (1) (ic) of the statutes is amended to read:

20.865 (1) (ic) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to the University of Wisconsin System to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d)~~ who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (cj).

**History:** 1971 c. 125; 1971 c. 270 ss. 94, 95, 104; 1973 c. 90, 117, 151; 1973 c. 243 s. 82; 1973 c. 333; Sup. Ct. Order, 67 Wis. 2d 773 (1975); 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 81, 224; 1977 c. 29, 44; 1977 c. 196 ss. 130 (8), 131; 1977 c. 203; 1977 c. 272 s. 98; 1977 c. 273, 344; 1977 c. 418 ss. 175d to 178, 929 (1); 1979 c. 32 s. 92 (5); 1979 c. 34 ss. 631b, 631d, 631f, 631h, 667 to 675; 1979 c. 48, 126, 221; 1981 c. 20, 96, 314, 317, 391; 1983 a. 27 ss. 498 to 526, 2204 (57) (b); 1983 a. 36; 1983 a. 191 s. 6; 1983 a. 192, 409; 1985 a. 29, 42, 52, 111; 1985 a. 182 s. 57; 1987 a. 27, 378; 1987 a. 403 ss. 28, 256; 1989 a. 31, 39, 336; 1991 a. 39; 1993 a. 16; 1995 a. 27, 201, 227, 400, 445; 1997 a. 27, 35, 41, 237; 1999 a. 9; 2001 a. 16, 106; 2003 a. 33; 2005 a. 25; 2007 a. 20, 200; 2009 a. 28.

**Insert 28-14:**


**SECTION 3.** 20.865 (1) (si) of the statutes is amended to read:

20.865 (1) (si) *Nonrepresented university system senior executive, faculty and academic pay adjustments.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to the University of Wisconsin System to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for University of Wisconsin System employees under ~~ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d)~~ who are not included within a collective bargaining unit for which a representative is certified under subch. V or VI of ch. 111, as determined under s. 20.928.

**History:** 1971 c. 125; 1971 c. 270 ss. 94, 95, 104; 1973 c. 90, 117, 151; 1973 c. 243 s. 82; 1973 c. 333; Sup. Ct. Order, 67 Wis. 2d 773 (1975); 1975 c. 39; 1975 c. 41 s. 52; 1975 c. 81, 224; 1977 c. 29, 44; 1977 c. 196 ss. 130 (8), 131; 1977 c. 203; 1977 c. 272 s. 98; 1977 c. 273, 344; 1977 c. 418 ss. 175d to 178, 929 (1); 1979 c. 32 s. 92 (5); 1979 c. 34 ss. 631b, 631d, 631f, 631h, 667 to 675; 1979 c. 48, 126, 221; 1981 c. 20, 96, 314, 317, 391; 1983 a. 27 ss. 498 to 526, 2204 (57) (b); 1983 a. 36; 1983 a. 191 s. 6; 1983 a. 192, 409; 1985 a. 29, 42, 52, 111; 1985 a. 182 s. 57; 1987 a. 27, 378; 1987 a. 403 ss. 28, 256; 1989 a. 31, 39, 336; 1991 a. 39; 1993 a. 16; 1995 a. 27, 201, 227, 400, 445; 1997 a. 27, 35, 41, 237; 1999 a. 9; 2001 a. 16, 106; 2003 a. 33; 2005 a. 25; 2007 a. 20, 200; 2009 a. 28.

**Insert 33-19:**

**SECTION 4.** 36.09 (1) (e) of the statutes is amended to read:

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the system; faculty; academic staff; and other employees and fix the salaries, subject to the limitations under par. (j)  ~~and ss. 20.923 (4g)~~ and s. 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ~~ss. 20.923 (4g) and s. 230.12 (3) (e)~~, and the duties for each chancellor, vice president, associate vice president, and assistant vice president of the system. No sectarian or

partisan tests or any tests based upon race, religion, national origin, or sex shall ever be allowed or exercised in the appointment of the employees of the system.

**History:** 1973 c. 335; 1975 c. 39, 224; 1977 c. 196 ss. 130 (1), (2), 131; 1977 c. 418; 1979 c. 34 s. 2102 (29) (a); 1981 c. 20 s. 2202 (1) (a); 1983 a. 27 s. 2200 (15); 1983 a. 366; 1985 a. 29, 42, 45, 332; 1987 a. 4, 27, 340; 1989 a. 31, 336, 359; 1991 a. 39; 1997 a. 27 ss. 1156ad, 9456 (3m); 1997 a. 35, 237, 307; 1999 a. 42; 2001 a. 16, 104; 2003 a. 33 ss. 930, 931, 2811, 9160; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2003 a. 320; 2005 a. 25 ss. 695, 2493; 2007 a. 125; 2009 a. 28.

**Insert 35-3:**

**SECTION 5.** 36.09 (1) (j) of the statutes is amended to read:

36.09 (1) (j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91 or 111.998, the board shall establish salaries for persons ~~not in the classified staff~~ prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of nonrepresented employees ~~specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d)~~ under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. ~~The board may not increase the salary of any position identified in s. 20.923 (4g) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The board may not increase the salary of any position identified~~

~~in s. 20.923 (4g) (ae) and (am) to correct a salary inequity that results from the appointment of a person to a position identified in s. 20.923 (4g) (ae) and (am) unless the increase is approved by the office of state employment relations. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and director of the office of state employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.~~

**History:** 1973 c. 335; 1975 c. 39, 224; 1977 c. 196 ss. 130 (1), (2), 131; 1977 c. 418; 1979 c. 34 s. 2102 (29) (a); 1981 c. 20 s. 2202 (1) (a); 1983 a. 27 s. 2200 (15); 1983 a. 366; 1985 a. 29, 42, 45, 332; 1987 a. 4, 27, 340; 1989 a. 31, 336, 359; 1991 a. 39; 1997 a. 27 ss. 1156ad, 9456 (3m); 1997 a. 35, 237, 307; 1999 a. 42; 2001 a. 16, 104; 2003 a. 33 ss. 930, 931, 2811, 9160; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2003 a. 320; 2005 a. 25 ss. 695, 2493; 2007 a. 125; 2009 a. 28.

**Insert 68-9:**

**SECTION 6.** 230.12 (3) (e) (title) of the statutes is amended to read:

230.12 (3) (e) (title) *University of Wisconsin System senior executives, faculty, and academic staff nonrepresented employees; Wisconsin Technical College System senior executives.*

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35; 2003 a. 33, 91, 117; 2009 a. 28.

**SECTION 7.** 230.12 (3) (e) 1. of the statutes is amended to read:

230.12 (3) (e) 1. The director, after receiving recommendations from the board of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employee benefits for University of Wisconsin employees under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included in a collective bargaining unit under subch. V or VI of ch. 111 for which a representative is certified. The proposal shall include the salary ranges and adjustments to the salary ranges for the university senior executive salary groups

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~~1 and 2 established under s. 20.923 (4g).~~ The proposal shall be based upon the competitive ability of the board of regents to recruit and retain qualified faculty and academic staff, data collected as to rates of pay for comparable work in other public services, universities and commercial and industrial establishments, recommendations of the board of regents and any special studies carried on as to the need for any changes in compensation and employee benefits to cover each year of the biennium. The proposal shall also take proper account of prevailing pay rates, costs and standards of living and the state's employment policies. The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employee benefit improvements. Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for such employees ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d).~~ The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for such employees ~~under ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d).~~ The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments is available for discretionary use by the board of regents.

**History:** 1971 c. 55, 125, 215; 1971 c. 270 ss. 20, 27, 28, 30 to 32; 1971 c. 336; Stats. 1971 s. 16.086; 1973 c. 12, 51, 90; 1975 c. 28, 39, 199, 224; 1977 c. 29, 44; 1977 c. 196 ss. 36, 130 (3), (5), (11), 131; 1977 c. 272, 418, 449; Stats. 1977 s. 230.12; 1979 c. 221; 1981 c. 20 s. 2202 (33) (b); 1981 c. 153; 1983 a. 27 ss. 1611am to 1612am, 2200 (15); 1983 a. 140; 1985 a. 29, 34, 42, 119, 332; 1987 a. 33, 83, 340, 399, 403; 1989 a. 39, 56, 117, 119, 124, 153, 336, 359; 1991 a. 269; 1995 a. 37, 88; 1997 a. 14, 237; 1999 a. 42, 102; 2001 a. 16, 29, 35; 2003 a. 33, 91, 117; 2009 a. 28.